

Community Preservation Act Committee (CPAC) Meeting
Minutes Thursday, February 5, 2009

CALL TO ORDER: The meeting was called to order by Vince O'Connor, Vice Chair, at 6:05 pm in the Community Room, Amherst Police Station

COMMITTEE MEMBERS IN ATTENDANCE:

Briony Angus, Denise Barberet, Louis Greenbaum, Ellen Kosmer, Vince O'Connor, Vice Chair, Mary Streeter, Clerk

COMMITTEE MEMBERS ABSENT: Peter Jessop, Stan Ziomek, Vladimir Morales

STAFF / OTHERS IN ATTENDANCE:

Sonia Aldrich, Jonathan Tucker, Dave Ziomek, Roy Rosenblatt, staff; Carol Gray; Scott Merzbach, Press

AGENDA

- Public Hearing 6-7 pm
- Housing
- Historic
- Open Space
- financial overview
- Discussion
- Minutes
- Schedule future meetings
- Adjourn

Public Hearing -- Staff members and Carol Gray presented proposals. No members of the public attended.

Housing

Roy Rosenblatt said this year the Housing Committee is requesting only the 10% amount required for housing to be put in reserve. There are 2 major housing initiatives which are not yet complete. The Housing Committee wants to fully spend the funds allocated to them in the past before requesting any additional funds. The FY07 Mortgage Subsidy has \$300,000 (\$150,000 from CPA and \$150,000 from the CDBG Block Grant). The Mortgage Subsidy has been stalled due to the fiscal environment. Lending is tight. CDBG has a time limit so those funds are being used first. They may have 2 buyers by the time Town Meeting begins. Last year \$150,000 was appropriated by Town Meeting for the Olympia Drive project. There was a Request for Proposals (RFP) for housing ownership units that resulted in no developers that were interested. Roy said the Committee would reconsider whether an ownership project is the way they should go or whether it should be a rental project. Sonia Aldrich said 10% of the new revenue is \$47,200. A discussion concerning the importance of maintaining at least 10% of the housing stock designated as affordable housing ensued. Roy listed various possibilities for achieving 10% in the face of the Rolling Green units going off the rolls by 2013. He expects that approximately 100 units will have to place on the affordable housing inventory if there is a reasonable plan in place. Vince asked if there were any grants that would facilitate this. Roy said Mass. Housing and some state agencies have some grants.

I. Historic Preservation

Jonathan Tucker discussed the Historical Commission's requests totaling \$371,000. The projects are divided into 3 categories: Capital, Outreach, and Research and Planning.

Capital

- **West Cemetery ironworks (\$24,500) & Town Tomb (\$24,500)** – The door is not original and is moving; ironwork will be used for family plot fencing. The Town Tomb is an earthen/masonry structure that has evolved into a storage facility. We could get economies by bidding with the other two tombs in North and South Amherst. Jonathan said, "We kept it under \$25,000 so we could avoid a certain bidding threshold" – a process just to make it easier.
- **575 North East Street/Kimball House compensation** (year 3 of 5) – \$25,600
- **Town Hall Masonry** (year 2 of 10) – \$44,250
- **Archival** – Town documents held by the Town Clerk (\$10,000) and Special Collections in the library (\$10,000)

- **Hills Landscape Park** – \$81,000 (funded last year) – The plan is to apply again for a Self-Help Grant which has a deadline in July. The lots are still unbuilt and unsold, although they are on the market. We have an appraisal but will need another. It is unlikely to be a higher amount. The State would give 70% - \$189,000 toward the purchase. The Town would give \$81,000 in CPA funds. The Town Counsel said the Town cannot be involved in private fund-raising.
- **Jones Library** – \$25,000 for 2 projects – roof study in the historic section & a study of Climate Control (HVAC) in Special Collections area which consists of 3 rooms – storage plus 2 rooms
- **Civil War Tablets** – \$45,000 for cleaning, restoration and re-installation as well as interpretive publications related to them; Jonathan said we have two tablets on the way to Connecticut to be cleaned and brought back to be installed in the Town Hall entrance. We have 3-4 more needing preservation. When asked what funds were being used to pay for the first 2 tablets, he said the Town Manager located \$25,000 for the cleaning, restoration, and re-installation of a smaller rectangular identification tablet saying who gave the tablets to the Town, and the “Sacred Dead” – the names of those who died. (In an email after this meeting he said he misspoke about the funds for the first two tablets.)
- **North Congregational Church roof** – \$6150 – A section of the slate roof leaked. They have a quote from a contractor for \$5,840 and the Historical Commission added 5% for contingencies. The Church is aware they must return a deed restriction to the Town.

II. Interpretation/Outreach

- **Interpretive signs for a Literary Trail** – \$30,000 Jonathan said periodically someone publishes a map of notable persons’ homes. Northampton created a trail map. That is the intention here.

III. Research and Planning

- **MHC Survey & Planning Grant match** – \$20,000 – This request is being withdrawn. Jonathan said we have some funds in hand. We recently applied for funds and were turned down for technical reasons, so we’re not re-applying.
- **Historic Register District Nomination** – \$10,000 – The Historical Commission wants to expand the Historic District. There are several buildings to choose from,
- **Historic Barns/Outbuilding Inventory** – \$15,000 – There are a number of historic sheds and barns. We do not have a historic inventory of these.

Vince reminded the committee that we would not vote tonight, and cautioned that if a member is an abutter or a member of a board of overseers, for example, of North Congregational Church, the member shouldn’t speak to that project.

Mary asked what is being stored in the tombs now. Jonathan Tucker responded that tools are being stored in the tombs. The door is rusted shut now. Mary then asked what money Northampton used for its interpretive signs. Mr. Tucker did not know what money was used for Northampton’s signs.

Ellen asked what company had been chosen to do the tablet restoration. Mr. Tucker said it is a firm called Daedalus, Inc. in Ct. They had bid on the headstone restoration project in West Cemetery.

Denise asked whether the HVAC study has been run by Town Counsel. Denise said, “You’re not talking about preserving anything. HVAC is a mechanical system, so I would have to conclude it’s not preservation.”

Vince commented that we’ve asked for that information twice and we need a written opinion from Town Counsel prior to voting on interpretive signs and an HVAC study should be added to that. Mr. Tucker said he would get that opinion.

Mary said in these economic times we need to get practical. She asked why not just get the contractors to give bids to do the work, rather than spending so much money on a study. Jonathan said the Jones Library obtained the estimates for the general roof work, but they couldn’t tell where the water was coming from. The study that would inform us has not been done.

Ellen said UMass students are conducting an inventory of Hadley barns now and asked who would do this study. Mr. Tucker said the Mass. Historical Commission has preservation consultants and a member of our Historical Commission is rapidly becoming a barn guru. He said the Town has an extensive inventory done in the 1970's and one by the Pioneer Valley Planning Commission in the 1980's which is an inventory of historic buildings and sites. Denise suggested we take advantage of students to do some of the work instead of paying consultants.

Vince asked whether this inventory is on file with the Building Inspector in case a demolition is planned. Jonathan said we want to have it digitized. We have 900 file folders. We have the demolition delay process now.

Jonathan explained the expansion of the Historic District. The Select Board is in the process of creating a Local Historic District, which is almost zoning but not quite and can impose regulations for that particular district. Each district needs its own committee.

Open Space

Dave Ziomek said last night the Conservation Commission voted 6-0 to recommend 3 items: 1.) Appraisals and Surveys, 2.) Johnson property, and 3.) Olendzki property. He had a PowerPoint presentation ready at Town Hall that could not be shown in our current location. He cautioned that conservation projects don't move forward unless there are appraisals and surveys. The Conservation Commission recommends \$25,000 for **Appraisals and Surveys**. In any given year most of the allocations have been spent.

Dave Ziomek explained that preserving properties in the Lawrence Swamp area is a priority because of the water resources there. The Mount Holyoke range is another priority. The Johnson and Olendzki properties were on Pete Westover's list to acquire but the owners weren't ready at the time. Dave has 20-30 files of potential projects that could be done. Five to seven are active at any one time. He has completed negotiations with the Johnsons and is still talking with the Olendzkis. His recommendation is a conservation restriction for the **Johnson property** \$90,000 – 14.538 acres, 50-60% of which is agricultural. It has been farmed for generations. An abutting property was donated several years ago by the McCloud family, Betsy Johnson's mother. The land slopes to the east, and is mostly agricultural going toward wooded wetland. There are rare rich botanicals there – it has rare orchids and ferns. This would have a Conservation Restriction with an agricultural component. It would not qualify for an Agricultural Preservation Restriction (APR) because the soils don't qualify. The APR program looks for prime soils contiguous to other APRs. This is neither. A Conservation Restriction property has wildlife value and biodiversity aspects to it as well. There is the potential on this property for 3 high-end house lots. These have been vetted through an appraiser. A development schematic has been drawn and could easily be built. The grant must be submitted by a Land Trust, which was done today with the Kestrel Trust's support. \$150,000 is the total purchase price for this conservation restriction project.

Olendzki property – the appraisal is over \$500,000 on this parcel. Negotiations on a final purchase price are not completed. We're trying to purchase some land "in fee" and the rest as a conservation restriction. This is the farm that once had emus. The house and a couple of outbuildings would be excluded. Mary asked how it would benefit the citizens of Amherst if the eastern part is the wettest part. Dave commented that it's one of the "birdiest" places in Amherst. Citizens can walk on any town-owned conservation land. Public access in the future would be through extending the Robert Frost Trail. Dave further explained that a Conservation Restriction doesn't have public access. This property is at risk of development due to a creative new technology that would allow 6 building lots on this property with individual sewer pumps. This land will not perc. Sewage can be pumped uphill to a public sewer line. The last house on Station Road near South East Street has a sewer line. Mr. Ziomek said both the Johnson and Olendzki properties would remain in agriculture. Much of the land is leased to local farmers.

Vince and Dave discussed some creative approaches to preserving parcels in times of limited budgets. Vince mentioned purchasing a right of first refusal or a right to purchase in 3 to 5 years using some money as a down payment with the rest to be paid in the future. He said every owner has different financial needs.

Dave responded that possibilities exist for negotiations like that to occur and that there may be times CPAC can't recommend the full amount and the rest would have to be raised privately.

South East Street property -- Carol Gray explained that there no longer is a willing seller. The appraisal is not yet finished. She is hopeful the owner might become a willing seller again. This project is certainly urgent. It would be eligible for Land and Park Grants (formerly Self-Help and Help Grants). Carol showed a large map of proposed houses. She said the views are some of the best views in all of Amherst. The land has been used for sheep grazing, hunting, stocked with pheasants. It is rich in terms of birdlife and wildlife. There is a certified vernal pool. Heather Colson's farm abuts it in the back. She's concerned about drainage if the land is developed. It borders a State park (Rail Trail) and a major commuter road. She said the South Amherst Conservation Association had \$47,000 in pledges and may be able to get \$100,000. A combination of grants, CPA funds, private fund-raising, and couple of lots could be sold (possibly for affordable housing) to reach the purchase price. It could be an interpretive park. The owner has changed his mind twice.

Briony said the Conservation Commission supports the efforts of the South Amherst Conservation Association (SACA). The ConCom is open to considering funding with CPA funds. The vote was 6-0 if the lot becomes available. There were differing opinions on the conservation value of the site. The ConCom is interested in exploring options for affordable housing on the site. They did not feel comfortable funding this now because the owner is not a willing seller. Dave Ziomek said the appraisal would still be finished. Mary asked what the Housing Committee thinks about this project. Carol emailed Nancy Gregg and Claude Tellier but has not heard back from them yet.

Motion by Mary, 2nd by Denise to continue the Public Hearing to Thursday, February 26, 2009 at 6:00 pm.
Voted 4-2-0 (Ellen and Louis voted no)

Administrative Expenses -- Sonia Aldrich distributed the document "Opinion of Town Counsel" which was just received today. She discussed funding CPA-related legal costs with CPA administrative money. She suggested \$1500 for annual dues to the CPA Coalition to catch up, since their fiscal year is different from ours and we have been paying 6 months late. Mary said Stuart Saginar from the CPA Coalition asked for email addresses of this committee to directly email newsletters and announcements.

MINUTES Motion by Denise, 2nd Ellen to accept the minutes of 11/20/08 as amended.
VOTED: 5-0-1 (Briony abstained)

ADJOURNMENT:

The meeting was adjourned at 8:35 PM. Motion by Denise, 2nd Briony; voted unanimously.

NEXT MEETING:

Thursday, February 26, 2009 at 6:00 pm in the Community Room, Amherst Police Station

DOCUMENTS DISTRIBUTED

- Agenda
- Minutes 11/2008
- Draft CPA FY2010 Funding Recommendation by Category for TM Report 1/16/09, 1 page
- CPA Historical Preservation FY10 Projects, 2/5/09, 1 page
- North Congregational Church CPA Proposal, 1/1/09, 5 pages
- Portion of West Cemetery Preservation Plan, June 1999 8 pages
- Hills Park Proposal CPA FY10, February 2009, 4 pages
- Amherst Civil War Memorial Tablet: History & Description, July 2001, 8 pages
- Conservation Commission CPA Funding Recommendations, 2/4/09, 2 pages
- 11"x17" Conservation Partnership Grant: Johnson Agricultural Project F Water Resources Map A
- 11"x17" Conservation Partnership Grant: Johnson Agricultural Project G Protected Open Space Map
- 11"x17" Conservation Partnership Grant: Johnson Agricultural Project H Priority Habitat Map
- Completed Land Conservation Projects 12/1/04-Present 8.5x14, 1 page
- Kopelman and Paige fax to David Ziomek, Review of CPA-Funded Projects, 2/2/09, 13 pages
- Community Preservation Coalition 2008 Year in Review, 2 pages

Respectfully submitted by Mary Streeter, Clerk
Minutes approved March 17, 2009